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HW

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,138	11/02/2001	Dongyan Wang	CSCO-104512	7084
7590	09/26/2005		EXAMINER	
WAGNER, MURABITO & HAO LLP			PERUNGAVOOR, VENKATANARAY	
Third Floor			ART UNIT	PAPER NUMBER
Two North Market Street				
San Jose, CA 95113			2132	
DATE MAILED: 09/26/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/033,138	WANG, DONGYAN
	Examiner Venkatanarayanan Perungavoor	Art Unit 2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 02 November 2001.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-55 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-55 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

Drawings

1. The Applicant is encouraged to submit drawings illustrative of the instant application.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 1-55 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The instant application's claims contains language that does not disclose any technological implementations and are abstract. See MPEP 2106 IV(A).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1-55 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5, 512, 885 to Akestam et al.(hereinafter Akestam).

6. Regarding Claim 1, Agestam discloses the defining a private groups see Fig. 1 item CUG 10, CUG 5; defining a public group item CUG 9(items 91, 92, 41, 43, 101, 102 can communicate with each other even if they don't belong to their respective groups); selecting a particular group from private and public and indicating whether a particular group is additive or subtractive and associating a selected group to function as a desired group see Fig. 2 – the dashed lines indicating a formed group that function and communicate with ones with opposite polarities(+,-).
7. Regarding Claim 2, Agestam discloses the dynamic group see Fig. 2 the dashed group formed could represents a dynamic group.
8. Regarding Claim 3, Agestam discloses the exception group see Fig. 2 item CUG 5, CUG 10, CUG 4.
9. Regarding Claim 4, Agestam discloses the public group composed of a private group and a public group see Fig. 1 item CUG 10, 91-92, 41 & 43 and excludes others items 42, 44, 51-52.
10. Regarding Claim 5, Agestam discloses the desired group composed of plurality of users see Fig. 2 item 92, 43, 44, 52, 11.

11. Regarding Claim 6, Akestam discloses the first owners being the same as second owners see Fig. 2 item 43, 52 & Fig. 3 .

12. Regarding Claim 7, Akestam discloses associating one or more privileges with a desired group see Col 2 Ln 50-64

13. Regarding Claim 8-14 contains similar claim language as Claim 1-7 and are rejected along the same lines.

14. Regarding Claim 15, Akestam discloses the defining a private groups see Fig. 1 item CUG 10, CUG 5; defining a public group item CUG 9(items 91, 92, 41, 43, 101, 102 can communicate with each other even if they don't belong to their respective groups); selecting a particular group from private and public and indicating whether a particular group is additive or subtractive and associating a selected group to function as a desired group see Fig. 2 – the dashed lines indicating a formed group that function and communicate with ones with opposite polarities(+,-).

15. Regarding Claim 16, Akestam discloses the a public group(see Fig. 1 item CUG 9, CUG 10, 41, 43) and a private group(items CUG 10, CUG 5, CUG 4).

16. Regarding Claim 17, Akestam discloses the private group being configured for use by first owners see Fig. 1 item 101-102 and closed off to others (see Fig. 1 item 91-92).
17. Regarding Claim 18, Akestam discloses the public group being configured for use by owners and nonowners see Fig. 1 item CUG 10, CUG 9, 41, 43.
18. Regarding Claim 19, Akestam discloses the dynamic group see Fig. 2 the dashed group formed could represents a dynamic group.
19. Regarding Claim 20, Akestam discloses the exception group see Fig. 2 item CUG 5, CUG 10, CUG 4.
20. Regarding Claim 21, Akestam discloses the public group composed of a private group and a public group see Fig. 1 item CUG 10, 91-92, 41 & 43 and excludes others items 42, 44, 51-52.
21. Regarding Claim 22, Akestam discloses the desired group composed of plurality of users see Fig. 2 item 92, 43, 44, 52, 11.
22. Regarding Claim 23, Akestam discloses associating one or more privileges with a desired group see Col 2 Ln 50-64.

23. Regarding Claim 24-32 contains similar claim language as Claim 15-23 and are rejected along the same lines.

24. Regarding Claim 33, Akestam discloses the defining a private groups see Fig. 1 item CUG 10, CUG 5; defining a public group item CUG 9(items 91, 92, 41, 43, 101, 102 can communicate with each other even if they don't belong to their respective groups); selecting a particular group from private and public and indicating whether a particular group is additive or subtractive and associating a selected group to function as a desired group see Fig. 2 – the dashed lines indicating a formed group that function and communicate with ones with opposite polarities(+,-); generating a public group see Fig. 3 first block.

25. Regarding Claim 34, Akestam discloses the dynamic group see Fig. 2 the dashed group formed could represents a dynamic group.

26. Regarding Claim 35, Akestam discloses the exception group see Fig. 2 item CUG 5, CUG 10, CUG 4.

27. Regarding Claim 36, Akestam discloses the desired group composed of plurality of users see Fig. 2 item 92, 43, 44, 52, 11.

28. Regarding Claim 37, Akestam discloses the public group composed of a private group and a public group see Fig. 1 item CUG 10, 91-92, 41 & 43 and excludes others items 42, 44, 51-52.
29. Regarding Claim 38, Akestam discloses the public group being configured for use by owners and nonowners see Fig. 1 item CUG 10, CUG 9, 41, 43.
30. Regarding Claim 39-44 contains similar claim language as Claim 33-38 and are rejected along the same lines.
31. Regarding Claim 45, Akestam discloses the defining a private groups see Fig. 1 item CUG 10, CUG 5; defining a public group item CUG 9(items 91, 92, 41, 43, 101, 102 can communicate with each other even if they don't belong to their respective groups); selecting a particular group from private and public and indicating whether a particular group is additive or subtractive and associating a selected group to function as a desired group see Fig. 2 – the dashed lines indicating a formed group that function and communicate with ones with opposite polarities(+,-); generating a public group see Fig. 3 first block.
32. Regarding Claim 46, Akestam is suggestive of the arrangement in hierarchies see Fig. 1 item CUG 10 item 101 above item 102 & CUG 5 item 51 above 52.

33. Regarding Claim 47, Akestam discloses the dynamic group see Fig. 2 the dashed group formed could represents a dynamic group.

34. Regarding Claim 48, Akestam discloses the exception group see Fig. 2 item CUG 5, CUG 10, CUG 4.

35. Regarding Claim 49, Akestam discloses the public group composed of a private group and a public group see Fig. 1 item CUG 10, 91-92, 41 & 43 and excludes others items 42, 44, 51-52.

36. Regarding Claim 50, Akestam discloses the public group configure to use by more than one second owner and non-owners see Fig. 1 item CUG 9, CUG 10, 41,43.

37. Regarding Claim 51, Akestam discloses the desired group being formed by at least one private group see Fig. 2 item CUG 4.

38. Regarding Claim 52, Akestam discloses the desired group being formed by at least one public group see Fig. 2 item 92.

39. Regarding Claim 53, Akestam disclose the desired group being a combination of private and public group see Fig. 2 item CUG 4, 92.

40. Regarding Claim 54, Akestam discloses the designating groups private, public see Fig. 1 item CUG 10, 91, 92, 41,43; assigning private group see Fig. 1 item CUG 10; assigning a public group see Fig. 1 item 91-92, 41, 43; a third group with attributes of a public group see Fig. 2 dashed lines representing the group formed.

41. Regarding Claim 55, Akestam discloses the first owners being the same as second owners see Fig. 2 item 43, 52 & Fig. 3.

Conclusion

42. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

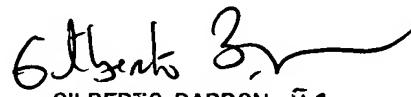
U.K. Patent Application GB 2271913 A to Akestam et al.

43. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

44. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Venkatanarayanan Perungavoor
Examiner
Art Unit 2132

VP
9/12/2005


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